UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/457,150	12/08/1999	DENNIS MICHAEL CARNEY	BO9-99-009	7356

24033	7590	01/20/2004

KONRAD RAYNES VICTOR & MANN, LLP
315 SOUTH BEVERLY DRIVE
SUITE 210
BEVERLY HILLS, CA 90212

EXAMINER
EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

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KONRAD RAYNES & VICTOR LLP
1180 SOUTH BEVERLY DRIVE
SUITE 501
LOS ANGELES, CA 90035

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PTO-90C (Rev. 07-01)

Office Action Summary	Application No.	Applicant(s)
	09/457,150	CARNEY ET AL.
	Examiner	Art Unit
	Saeid Ebrahimi-dehKordy	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-27_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-27_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All b) ☐ Some * c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _3_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1,10 and 19 rejected under 35 U.S.C. 102(e) as being anticipated by Nakamura

(U.S. patent 6,075,615)

        Regarding claims 1,10 and 19 Nakamura discloses: A method for reconfiguring

multiple logical printers from using a first monitor program to using a second monitor

program to communicate with one physical printer (please note Fig.1 items 1c and

printers 2a-2m as the logical printers in 1c are connected to the physical printers

through the queues in 1d column 2 lines 29-45) wherein the monitor program submits

print jobs directed to a logical printer to one associated physical printer over a network

wherein at least one physical printer is capable of being associated with each logical

printer (please note Fig.1 and item 1b where the logical printers in 1c could interact with

the physical printers through the queue allocation means, column 2 lines 46-65)

comprising: determining a plurality of logical printers (please note Fig.3 item 122 where

the logical printers are listed column 3 lines 43-49) determining whether each physical

printer associated with each of the plurality of logical printers is of a particular class

(please note Fig.3 column 4 lines 67 and column 5 lines 1-29 where the specific printer or model is set to accept certain print job using the attributes given) indicating in a data structure each logical printer associated with one physical printer of the particular class (please note Fig.3 item 122 where the specific virtual or logical printer is set to connect to the specific physical printer, column 3 lines 46-50 and column 5 lines 1-14) and reconfiguring each of the plurality of logical printers indicated in the data structure to use the second monitor program to submit print jobs to one physical printer of the particular class (please note Fig.3 item 122 where the specific logical or virtual printer is set to communicate with a physical printer, column 5 lines 1-29).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 2-9,11-18 and 20-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. patent 6,075,615) in view of White et al (U.S. patent 6,301,012)

Regarding claims 2, 11 and 20 Nakamura does not quite teach the announcement by the printer or identifying the printer over the network on the other hand White et al discloses: The method of claim 1, further comprising determining a network address of each physical printer (please note Fig.1 column 3 lines 42-45 where the network address is determined using Tcp/Ip) wherein determining whether each

physical printer is of a particular class comprises using the determined network address

of each physical printer to request information from the physical printer over the network

wherein the requested information indicates whether the physical printer is a member of

the particular class (please note Fig.1 column 3 lines 38-46 where the class of the

printer or model of the printer is determined by announcement of the printer to the print

server).

Therefore it would have been obvious to a person of ordinary skill in art at the time of

the invention to modify Nakamura's invention according to the teaching of White et al,

White et al in the same field of endeavor teaches the way printers could be announced

and identified through the ID and assigned new ports automatically.

Regarding claims 3,12 and 21 White et al disclose: The method of claim 1,

wherein a port object provides an interface to a physical printer, wherein each logical

printer is associated with one port object to interface with one physical printer wherein

the port monitor is associated with the port object, and wherein reconfiguring each of

the plurality of logical printers to use the second monitor program comprises setting the

logical printer to use one port object associated with the second port monitor to submit

print jobs (please note column 2 lines 20-28 and column 4 lines 17-28 where the port is

automatically is chosen for the printer).

Regarding claims 4,13 and 22 White et al disclose: The method of claim 3,

further comprising determining a network address of each physical printer by processing

a name of one port object associated with the first monitor program providing the

connection between the physical printer and associated logical printer, wherein

determining whether each physical printer is of a particular class comprises using the determined network address of each physical printer to request information from the physical printer over the network wherein the requested information indicates whether the physical printer is a member of the particular class (please note column 4 lines 49-54 and column 3 lines 38-46).

Regarding claims 5,14 and 23 White et al disclose: The method of claim 3, further comprising: determining, for each logical printer, each port object associated with the logical printer and wherein determining whether each physical printer is of a particular class comprises determining whether each physical printer associated with each determined port object is of the particular class (please note column 3 lines 38-46 and column 4 lines 66-67 and column 5 lines 1-7).

Regarding claims 6,15 and 24 White et al disclose: The method of claim 3, wherein reconfiguring the plurality of logical printers comprises: creating a new port associated with the second monitor program for each logical printer and reconfiguring each of the logical printers indicated in the data structure to use the new port for printing (please note column 4 lines 17-58).

Regarding claims 7,16 and 25 White et al disclose: The method of claim 6, further comprising indicating in the data structure, for each logical printer the new port using the second monitor program wherein the data structure is processed to determine the new port to assign to each logical printer (please note column 4 lines 49-65).

Regarding claims 8,17 and 26 White et al disclose: The method of claim 7, wherein a separate thread is initiated to perform the operations of setting the logical

printers to use the new ports as indicated in the data structure (please note column 2 lines 20-28).

Regarding claims 9,18 and 27 White et al disclose: The method of claim 6, further comprising; determining ports associated with each logical printer that are replaced by the new port and deleting, for each logical printer, all the determined ports (please note column 4 lines 37-48).

Other prior art cited

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kimber et al (U.S. patent 5,903,716) is pertinent as disclosing a virtual printer.

Shibusawa (U.S. patent 6,088,120) is pertinent as disclosing a printer managing apparatus, printing system and printer setting method.

Goffinet et al (U.S. patent 6,112,256) is pertinent ad disclosing a method and apparatus for configuring the physical setup of multiple printers on a network.

Tan et al (U.S. patent 5,978,560) is pertinent as disclosing a load balancing of distributed printing system using enhanced printer attributes.

Contact Information

> Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

>Assistant Commissioner for Patents
>Washington, D.C. 20231

Or faxed to:

>(703) 872-9306, or (703) 308-9052 (for *formal* communications; please mark
>**"EXPEDITED PROCEDURE")**

Or:

>(703) 306-5406 (for *informal* or *draft* communications, please label "PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
September 18 2003

Kimberly A. Williams
Primary Examiner
Technology Center 2600